

REMARKS

Claims 1-68 remain pending in the application.

The Applicants respectfully request the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Finality of the Office Action

The Office Action is indicated as being Final. The Finality of the Office Action is improper since raising a new grounds of rejection that the Applicant has not had an opportunity to respond to under a non-Final Office Action. In particular, the previous Office Action failed to reject claims 2-67. The Office Action dated February 28, 2005 rejected claims 2-67 for the first time with prior art.

The Applicants respectfully request that the Finality of the Office Action be withdrawn.

Claims 1-68 over Helferich

Claims 1-68 were rejected under 35 USC 102(e) as allegedly being anticipated by U.S. Pat. No. 6,636,733 to Helferich ("Helferich"). The Applicants respectfully disagree.

Claims 1-68 recite a system and method relying on an electronic event message and an event indicating a change associated with a predefined Internet site content.

Helferich appears to disclose a system and method of sending voice and text messages to a wireless messaging device (see col. 1, line 32-col. 2, line 65). A user of the wireless messaging device receives an email from the Internet and is able to respond with a voice message and text message (see Helferich, col. 4, lines 1-67). Voice attachments may be attached to the email for access by the wireless messaging device that has such capability (see Helferich, col. 7, lines 43-67).

Helperich discloses a user of a wireless messaging device receiving notification of an email awaiting retrieval, with no disclosure or suggestion of monitoring Internet site content. Therefore, Helperich's notification is based on a change on an email server NOT based a change associated with a predefined Internet site content, as recited by claims 1-68.

A benefit of an electronic event message and an event indicating a change associated with a predefined Internet site content is, e.g., the ability to monitor such services as Internet auctions. Conventionally, a user must constantly monitor an auction site for an update of status. However, by a user being sent an event message for an event indicating a change associated with a predefined Internet site content, i.e., another person bidding on a desired item, a user is able to decide whether to further pursue the desired item.

For at least all the above reasons, claims 1-68 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

The rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,
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